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10/751,616	01/05/2004	Richard A. Chapman	END920030134US1	2422
30449 7590 01/15/2008 SCHMEISER, OLSEN & WATTS 22 CENTURY HILL DRIVE SUITE 302 LATHAM, NY 12110			EXAMINER ULRICH, NICHOLAS S	
			ART UNIT 2173	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/751,616

Applicant(s)

CHAPMAN, RICHARD A.

Examiner

Nicholas S. Ulrich

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 25-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 25-46 are pending.
2. Claims 1-24 are cancelled.
3. Claims 26-46 are new.
4. Claims 25-46 are rejected.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 33-39 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The specification defines computer readable medium as containing transmission media. Transmission media (signals) do not constitute patentable subject matter under 35 U.S.C. 101 because it does not fall within one of the four categories of invention.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the

Art Unit: 2173

steps. See MPEP § 2172.01. The omitted steps are: sending the identifier from the first browser to the second browser. See the specification pg 13 lines 30-32.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 25-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Shelton et al. (US 5954798).

In regard to claim 25, Shelton discloses a method of assisted browser navigation, comprising:

receiving a request for an identifier from a first browser (*Fig 2, Fig 3, and Column 6 line 62- Column 7 line 33: the request for the identifier from the first browser is performed when the browser has been directed to the specific URL for web page 204 in server 152. The first browser is executing in terminal 104A. The network is shown in Fig 2 element 129*),

dynamically generating an identifier in response to the received request (*Column 7 lines 31-35*);

associating the identifier with information to be retrieved (*Column 7 lines 34-35*);

storing the identifier and association in a repository (*Column 6 lines 59-61: database stores created sessions*);

receiving the identifier from a second browser (*Column 12 lines 19-36*);

using the received identifier to provide the information associated with the received identifier stored in the repository to the second browser (*Column 14 lines 23-42*).

In regard to claim 26, to better understand the rejection of claim 26, the examiner has replaced "consultant" with first, and "user" with second, as described in the specification on pg 7 lines 25-28.

Shelton anticipates a method of assisted browser navigation, said method comprising:

receiving a request for an identifier from a first browser executing in a first data processing system in a first session between the first browser and a server via a network disposed between the server and the first browser (*Fig 2, Fig 3, and Column 6 line 62- Column 7 line 33: the request for the identifier from the first browser is performed when the browser has been directed to the specific URL for web page 204 in server 152. The first browser is executing in terminal 104A. The network is shown in Fig 2 element 129*),

wherein the server comprises a first context that reflects a context of the first session (*Column 5 lines 52-67, Column 7 lines 22-28, Column 7 lines 33-35, and Column 7 line 58 – Column 8 line 23: once the page is accessed by the first*

*browser the applets are downloaded and executed. Master Applet 126 instructs server to create a session for browser 114A. A session includes what is listed on Column 5 lines 52-67);*

generating the identifier in response to the received request (*Column 7 lines 31-35*);

after said generating the identifier, generating an association that associates the identifier with context information in the first context (*Column 7 lines 34-35*),

wherein the context information identifies an access to desired information that is desired by a user coupled to a second browser (*Column 2 lines 20-25: discusses the purpose of the invention is to synchronize two browsers*);

after said generating the association, storing the identifier and the association in a repository coupled to the server (*Column 6 lines 59-61: database stores created sessions*);

after said storing the identifier and the association, providing the identifier to the first browser (*Column 11 line 22-25*);

after said providing the identifier to the first browser, receiving the identifier from the second browser executing in a user data processing system in a user session between the second browser and the server via the network disposed between the server and the second browser (*Column 12 lines 19-36*),

wherein said receiving the identifier is performed after the identifier has been transmitted from the first browser to the second browser (*Column 12 lines 19-36*);

after said receiving the identifier, identifying the context information from the received identifier, the stored identifier, and the stored association (*Column 14 lines 20-25*);

after said identifying the context information, storing the context information in a user context that reflects a context of the user session (*Column 14 lines 23-42*),

wherein the server comprises the user context (*Column 5 lines 52-67*),

and wherein the server is configured to transmit the context information in the user context to the second browser for enabling the user to identify, via the second browser, the access to the desired information (*Column 14 lines 23-42*),

wherein the server comprises an assistant navigation circuit/module and wherein said receiving the request, said generating the identifier, said generating the association, said storing the identifier and the association, said providing the identifier to the first browser, said receiving the identifier from the second browser, said identifying the context information, and said storing the context information in the user context are performed by the assistant navigation circuit/module (*Column 4 lines 17-28 and Column 5 lines 52-67*).

In regard to claim 27, Shelton discloses wherein said generating the identifier comprises selecting the identifier from a list of unused identifiers (*Column 5 lines 22-25: retrieving session id*).

In regard to claim 28, Shelton discloses wherein the method further comprises deleting the identifier in the repository upon elapse of a predefined period of time following said storing the identifier in the repository, and wherein said deleting the identifier is performed by the assistant navigation circuit/module (*Column 5 lines 60-62*).

In regard to claim 29, Shelton discloses wherein the generated association further associates the identifier with the user session (*Column 7 lines 31-35*).

In regard to claim 30, Shelton discloses wherein the generated association further associates the identifier with the user session (*Column 7 lines 31-35*).

In regard to claim 31, Shelton discloses wherein said receiving the identifier from the user browser comprises retrieving the identifier from a data entry field of a web page after the user browser has entered the identifier into the data entry field (*Column 12 lines 37-46*).



In regard to claim 32, Shelton discloses wherein the context information is part of a help page comprising information for contacting customer service representatives (*Column 12 lines 19-23*).

In regard to claims 33-39, computer program product claims 33-39 correspond generally to method claims 26-32, respectively, and recite similar features in computer program product form, and therefore are rejected under the same rationale.

In regard to claims 40-46, system claims 40-46 correspond generally to method claims 26-32, respectively, and recite similar features in system form, and therefore are rejected under the same rationale.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26 - 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shelton (US 5954798) in view of Gavrilescu et al. (US 2002/0198941 A1).

In regard to claim 26, to better understand the rejection of claim 26, the examiner has replaced "consultant" with first, and "user" with second, as described in the specification on pg 7 lines 25-28.

Shelton anticipates a method of assisted browser navigation, said method comprising:

receiving a request for an identifier from a first browser executing in a first data processing system in a first session between the first browser and a server via a network disposed between the server and the first browser (*Fig 2, Fig 3, and Column 6 line 62- Column 7 line 33: the request for the identifier from the first browser is performed when the browser has been directed to the specific URL for web page 204 in server 152. The first browser is executing in terminal 104A. The network is shown in Fig 2 element 129*),

wherein the server comprises a first context that reflects a context of the first session (*Column 5 lines 52-67, Column 7 lines 22-28, Column 7 lines 33-35, and Column 7 line 58 – Column 8 line 23: once the page is accessed by the first browser the applets are downloaded and executed. Master Applet 126 instructs server to create a session for browser 114A. A session includes what is listed on Column 5 lines 52-67*);

generating the identifier in response to the received request (*Column 7 lines 31-35*);

after said generating the identifier, generating an association that associates the identifier with context information in the first context (*Column 7 lines 34-35*),

wherein the context information identifies an access to desired information that is desired by a user coupled to a second browser (*Column 2 lines 20-25: discusses the purpose of the invention is to synchronize two browsers*);  
after said generating the association, storing the identifier and the association in a repository coupled to the server (*Column 6 lines 59-61: database stores created sessions*);

after said storing the identifier and the association, providing the identifier to the first browser (*Column 11 line 22-25*);

after said providing the identifier to the first browser, receiving the identifier from the second browser executing in a user data processing system in a user session between the second browser and the server via the network disposed between the server and the second browser (*Column 12 lines 19-36*),

wherein said receiving the identifier is performed after the identifier has been transmitted from the first browser to the second browser (*Column 12 lines 19-36*);

after said receiving the identifier, identifying the context information from the received identifier, the stored identifier, and the stored association (*Column 14 lines 20-25*);

after said identifying the context information, storing the context information in a user context that reflects a context of the user session (*Column 14 lines 23-42*),

wherein the server comprises the user context (*Column 5 lines 52-67*),

and wherein the server is configured to transmit the context information in the user context to the second browser for enabling the user to identify, via the second browser, the access to the desired information (*Column 14 lines 23-42*),

wherein the server comprises an assistant navigation circuit/module and wherein said receiving the request, said generating the identifier, said generating the association, said storing the identifier and the association, said providing the identifier to the first browser, said receiving the identifier from the second browser, said identifying the context information, and said storing the context information in the user context are performed by the assistant navigation circuit/module (*Column 4 lines 17-28 and Column 5 lines 52-67*).

While Shelton discloses methods for a consumer browser to provide context information to a supervisor browser, in order to synchronize the supervisor browser to the consumer browser, Shelton fails to disclose a consultant browser to provide context information to a user browser, in order to synchronize the user browser to the consultant browser. However, Gavrilesco teaches using cobrowsing techniques to provide technical support, where an advisor can show a user where to find help on the web (*Paragraph 0004 lines 9-12*). It would have been obvious to one of ordinary skill in the art, having the teachings of Shelton and Gavrilesco before him at the time the invention was made, to modify the browsing synchronization taught by Shelton to include the technical support of Gavrilesco. It would have been advantageous for one to utilize

Art Unit: 2173

such a combination as assisted browsing would have been obtained, as suggested by Gavrilesco (*Paragraph 0004 lines 9-12*).

In regard to claim 27, Shelton discloses wherein said generating the identifier comprises selecting the identifier from a list of unused identifiers (*Column 5 lines 22-25: retrieving session id*).

In regard to claim 28, Shelton discloses wherein the method further comprises deleting the identifier in the repository upon elapse of a predefined period of time following said storing the identifier in the repository, and wherein said deleting the identifier is performed by the assistant navigation circuit/module (*Column 5 lines 60-62*).

In regard to claim 29, Shelton discloses wherein the generated association further associates the identifier with the user session (*Column 7 lines 31-35*).

In regard to claim 30, Shelton discloses wherein the generated association further associates the identifier with the user session (*Column 7 lines 31-35*).

In regard to claim 31, Shelton discloses wherein said receiving the identifier from the user browser comprises retrieving the identifier from a data entry field of a web page after the user browser has entered the identifier into the data entry field (*Column 12 lines 37-46*).

In regard to claim 32, Shelton discloses wherein the context information is part of a help page comprising information for contacting customer service representatives (*Column 12 lines 19-23*).

In regard to claims 33-39, computer program product claims 33-39 correspond generally to method claims 26-32, respectively, and recite similar features in computer program product form, and therefore are rejected under the same rationale.

In regard to claims 40-46, system claims 40-46 correspond generally to method claims 26-32, respectively, and recite similar features in system form, and therefore are rejected under the same rationale.

### ***Response to Arguments***

Applicant's arguments, see Remarks, filed 11/02/2007, with respect to drawings have been fully considered and are persuasive. The objection of Figure 2 has been withdrawn.

Applicant's arguments, see Remarks, filed 11/02/2007, with respect to the rejection(s) of claim(s) 25 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Shelton et al. (US 5954798).

Applicant's arguments with respect to cancelled claims have been considered but are moot.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas S. Ulrich whose telephone number is 571-270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas Ulrich

Application/Control Number: 10/751,616

Page 15

Art Unit: 2173

1/10/2008

2173

/Kieu D. Vu/

Kieu D. Vu

Primary Examiner